

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

NATIONAL COUNCIL FOR ADOPTION,
BUILDING ARIZONA FAMILIES on behalf
of itself and its birth-parent clients, birth
parents D.V. and N.L., and baby boy T.W. by
and through his guardian ad litem PHILIP
(JAY) MCCARTHY, JR.,

Plaintiffs,

v.

SALLY JEWELL, in her official capacity as
Secretary of the United States Department of
the Interior, KEVIN WASHBURN, in his
official capacity as Assistant Secretary of
Indian Affairs, BUREAU OF INDIAN
AFFAIRS, and the UNITED STATES
DEPARTMENT OF THE INTERIOR,

Defendants.

Case No. 1:15-cv-00675

[PROPOSED] ORDER

Upon consideration of Plaintiff National Council for Adoption's Motion for Summary Judgment on its APA claim, Defendant's response thereto, and Plaintiff's reply brief, and having conducted a hearing on Plaintiff's Motion for Summary Judgment on its APA claim, for good cause shown, it is hereby **ORDERED THAT**:

1. Plaintiff's Motion for Summary Judgment on its APA claim is **GRANTED** in full and the Guidelines for State Courts and Agencies in Indian Child Proceedings, 80 Fed. Reg. 10,146 (Feb. 25, 2015), are hereby held unlawful and vacated.

Dated: _____

Hon. Gerald Bruce Lee
United States District Court Judge